

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-5, 8, 10-15, 17, and 20-79 are pending. By this amendment, claims 6, 7, 9, 16, and 18 have been canceled; and claims 1, 8, 10-15, 17, 19-21, 31-35, 43, 54, 60, and 72 have been amended. No new matter has been added.

§102 Rejection of Claims 1, 2, 5-12, 14, 16, 36-44, 46-52, 60, 61, 64-79

In Section 2 of the July 28, 2005 Office Action (“the Office Action”), claims 1, 2, 5-12, 14, 16, 36-44, 46-52, 60, 61, and 64-79 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Freeman *et al.* (U.S. Publication No. 2004/0261127 A1).

In the Background section of the Specification, it is stated, “advantages of interactive television in the context of a game show like Jeopardy stem from the fact that a game show is participatory by definition. While viewing a game show without the benefit of interactive functionality, the viewer still often times finds himself yelling answers or price estimates to the in-studio contestants. Thus, the advantage of adding an actual interactive functionality to the game show that allows the viewer to not merely yell out answers or prices, but actually participate by inputting the answers or prices, is apparent. It is likely to result in an increased number of viewers and, consequently, advertising revenue. ... However, it is not at all apparent how to stimulate additional interest through the provision of interactive functionality in television programs other than game shows. Television programs such as situation comedies, soap-operas, or adventure shows tend to be viewed in a much more passive fashion. Thus, although there may be items on the television screen at a particular time in the broadcast, such as

clothing, cars, or places, that would interest or stimulate a particular viewer, or motivate the particular viewer to perform some action, the non-interactive presentation of those items on the screen often results in the viewer not even noticing the items, except perhaps on a sub-conscious level.” *Background of the Specification, Page 4, lines 16-31.*

To achieve the above-stated objective, embodiments of the present invention provide methods and systems for providing interactive content. For example, a system of providing interactive content to a user, as recited in claim 1, includes:

- a user reception device* for the reception of broadcast signals;
 - a video display* associated with the user reception device for displaying a user-perceptible form of the broadcast signals to the user;
 - a decoding device* communicating with the user reception device, the decoding device being programmed to execute an interactive program written for the broadcast content;
 - a server network device* communicating with the decoding device, the server network device being programmed to download segments of the interactive program to the decoding device;
 - a communication device* communicating with the decoding device and with the server network device; and
 - a memory system* communicating with the server network device and the decoding device, the memory system storing segments of the interactive program;
- wherein the interactive content is synchronized to segments of the broadcast content which are interrelated to the interactive content;
- wherein the interactive content is synchronized to segments of the broadcast content by events within the broadcast content;
- wherein the events within the broadcast content are triggers inserted in the broadcast content;
- wherein the triggers are inserted at pre-determined segments within the broadcast content and activate segments of the interactive program that are interrelated to the broadcast content being presented to the user during the pre-determined segments;

wherein the segments of the interactive program provide facts and information to the user, the facts and information being interrelated with the broadcast content being presented to the user during the pre-determined segment of the broadcast; and wherein the facts and information are provided to the user in a question and answer format, the user inputting an answer in response to a displayed question.

(emphasis added)

Accordingly, in one aspect of claim 1, the segments of the interactive program provide facts and information to the user, the facts and information being interrelated with the broadcast content being presented to the user during the pre-determined segment of the broadcast; and wherein the facts and information are provided to the user in a question and answer format, the user inputting an answer in response to a displayed question.

By contrast, Freeman merely states that “when a viewer's favorite baseball player is at bat, graphics showing past or current performance statistics of the player can be overlaid on the screen while excerpts from an interview with the player can be played for the viewer.” *Freeman*, page 8, [0114], line 10. Moreover, Section 8 of the Office Action states that “Freeman does not disclose that the display of facts and information [are] provided to the user in a question and answer format, the user inputting an answer in response to a displayed question.”

Further, although the Office Action also states in Section 8 that “Lappington discloses that facts and information are provided to the user in a question and answer format (Column 9, lines 13-21), the user inputting an answer in response to a displayed question (Column 9, lines 22-24)”, Applicants respectfully disagree. Lappington merely states that “[a] script has three main components: messages, questions, and responses. Messages are text displayed on handheld 32 that do not require input from the viewer. Messages can introduce a show or provide information about the program. For example, a message may state, “Hello, welcome to the Super

Bowl." Questions are text that request input from the viewer. There are preferably six types of questions: Yes/No, True/False, Multiple Choice, Integer, Decimal, and Fill In The Blank."

Lappington, col. 9, lines 13-21. Therefore, messages and questions of Lappington merely introduce a show or program and are unrelated to facts and information provided in the present invention, which are interrelated with the broadcast content being presented to the user during the pre-determined segment of the broadcast.

Therefore, Freeman and Lappington, individually or in combination, fail to teach or suggest all the limitations of claim 1.

Based on the foregoing discussion, claim 1 should be allowable over Freeman and Lappington. Independent claims 43, 60, and 72 include the above-discussed relevant limitations for claim 1 in substantially similar forms. Therefore claims 43, 60, and 72 should also be allowable over Freeman and Lappington. Since claims 2, 5, 8, 10-12, 14, 16, 36-42, 44, 46-52, 61, 64-71, and 73-79 depend from one of independent claims 1, 43, 60, and 72, claims 2, 5, 8, 10-12, 14, 16, 36-42, 44, 46-52, 61, 64-71, and 73-79 should also be allowable over Freeman and Lappington. Claims 6, 7, 9, and 16 have been canceled.

Accordingly, it is submitted that the rejection of claims 1, 2, 5-12, 14, 16, 36-44, 46-52, 60, 61, and 64-79 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 3, 4, 45, 53, 62, 63

In Section 4 of the Office Action, claims 3, 4, 45, 53, 62, and 63 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Weinstein *et al.* (U.S. Patent No. 6,604,242; hereinafter referred to as "Weinstein").

Based on the foregoing discussion regarding claims 1, 43, and 60, and since claims 3, 4, 45, 53, 62, and 63 depend from one of claims 1, 43, and 60, claims 3, 4, 45, 53, 62, and 63 should also be allowable over Freeman. Further, Weinstein is merely cited for providing “a unified interface to combine both the broadcast and interactive features”. Therefore, the combination of Freeman and Weinstein still lacks the above-discussed relevant limitations. Therefore, claims 3, 4, 45, 53, 62, and 63 should also be allowable over Freeman and Weinstein.

Accordingly, it is submitted that the rejection of claims 3, 4, 45, 53, 62, and 63 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 13

In Section 5 of the Office Action, claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Valdez, Jr. (U.S. Patent No. 6,426,778).

Based on the foregoing discussion regarding claim 1, and since claim 13 depends from claim 1, claim 13 should also be allowable over Freeman. Further, Valdez, Jr. is merely cited for providing “a system that allows a user to associate interactive data with a video presentation”. Therefore, the combination of Freeman and Valdez, Jr. still lacks the above-discussed relevant limitations. Therefore, claim 13 should also be allowable over Freeman and Valdez, Jr.

Accordingly, it is submitted that the rejection of claim 13 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 15

In Section 6 of the Office Action, claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Ellis *et al.* (U.S. Publication No. 2004/0261125; hereinafter referred to as “Ellis”).

Based on the foregoing discussion regarding claim 1, and since claim 15 depends from claim 1, claim 15 should also be allowable over Freeman. Further, Ellis is merely cited for disclosing that “the segments of the interactive program provide questions to the user about past events in a program”. Therefore, the combination of Freeman and Ellis still lacks the above-discussed relevant limitations. Therefore, claim 15 should also be allowable over Freeman and Ellis.

Accordingly, it is submitted that the rejection of claim 15 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 17

In Section 7 of the Office Action, claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Furet *et al.* (U.S. Publication No. 2004/0139472; hereinafter referred to as “Furet”).

Based on the foregoing discussion regarding claim 1, and since claim 17 depends from claim 1, claim 17 should also be allowable over Freeman. Further, Furet is merely cited for disclosing that “an interactive program is played in a question and answer format”. Therefore, the combination of Freeman and Furet still lacks the above-discussed relevant limitations. Therefore, claim 17 should also be allowable over Freeman and Furet.

Accordingly, it is submitted that the rejection of claim 17 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 18-23, 30, 31, 35

In Section 8 of the Office Action, claims 18-23, 30, 31, and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Lappington *et al.* (U.S. Patent No. 5,764,275; hereinafter referred to as “Lappington”).

Based on the foregoing discussion regarding claim 1, and since claims 19-23, 30, 31, and 35 depend from claim 1, claims 19-23, 30, 31, and 35 should also be allowable over Freeman and Lappington. Claim 18 has been canceled.

Accordingly, it is submitted that the rejection of claims 18-23, 30, 31, and 35 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 24, 25, 27, 33, 34

In Section 9 of the Office Action, claims 24, 25, 27, 33, and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Lappington and further in view of Kohorn (U.S. Patent No. 5,508,731).

Based on the foregoing discussion regarding claim 1, and since claims 24, 25, 27, 33, and 34 depend from claim 1, claims 24, 25, 27, 33, and 34 should also be allowable over Freeman and Lappington. Further, Kohorn is merely cited for disclosing that “the number of points [is] directly proportional to the difficulty of question”. Therefore, the combination of Freeman,

Lappington, and Kohorn still lacks the above-discussed relevant limitations. Therefore, claims 24, 25, 27, 33, and 34 should also be allowable over Freeman, Lappington, and Kohorn.

Accordingly, it is submitted that the rejection of claims 24, 25, 27, 33, and 34 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 26

In Section 10 of the Office Action, claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view Lappington and further in view of Furet.

Based on the foregoing discussion regarding claim 1, and since claim 26 depends from claim 1, claim 26 should also be allowable over Freeman and Lappington. Further, Furet is merely cited for disclosing that “an interactive program is played in a question and answer format”. Therefore, the combination of Freeman, Lappington, and Furet still lacks the above-discussed relevant limitations. Therefore, claim 26 should also be allowable over Freeman, Lappington, and Furet.

Accordingly, it is submitted that the rejection of claim 26 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 28

In Section 11 of the Office Action, claim 28 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view Lappington and further in view of Wade *et al.* (U.S. Publication No. 2002/0165764; hereinafter referred to as “Wade”).

Based on the foregoing discussion regarding claim 1, and since claim 28 depends from claim 1, claim 28 should also be allowable over Freeman and Lappington. Further, Wade is merely cited for disclosing that “points are redeemable for additional plays”. Therefore, the combination of Freeman, Lappington, and Wade still lacks the above-discussed relevant limitations. Therefore, claim 28 should also be allowable over Freeman, Lappington, and Wade.

Accordingly, it is submitted that the rejection of claim 28 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 29

In Section 12 of the Office Action, claim 29 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Lappington and further in view of Forrest *et al.* (U.S. Patent No. 6,267,379; hereinafter referred to as “Forrest”).

Based on the foregoing discussion regarding claim 1, and since claim 29 depends from claim 1, claim 29 should also be allowable over Freeman and Lappington. Further, Forrest is merely cited for disclosing that “the user is ranked according to the number of points accumulated by the user or team”. Therefore, the combination of Freeman, Lappington, and Forrest still lacks the above-discussed relevant limitations. Therefore, claim 29 should also be allowable over Freeman, Lappington, and Forrest.

Accordingly, it is submitted that the rejection of claim 29 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 32

In Section 13 of the Office Action, claim 32 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view Lappington and further in view of Ellis (U.S. Publication No. 2004/0117831; hereinafter referred to as “Ellis2”).

Based on the foregoing discussion regarding claim 1, and since claim 32 depends from claim 1, claim 32 should also be allowable over Freeman and Lappington. Further, Ellis2 is merely cited for disclosing that “questions are chosen from a pool of questions”. Therefore, the combination of Freeman, Lappington, and Ellis2 still lacks the above-discussed relevant limitations. Therefore, claim 32 should also be allowable over Freeman, Lappington, and Ellis2.

Accordingly, it is submitted that the rejection of claim 32 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 54-57

In Section 14 of the Office Action, claims 54-57 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond *et al.* (U.S. Patent No. 6,698,020; hereinafter referred to as “Zigmond”) in view of Freeman.

Based on the foregoing discussion regarding claim 1, and since independent claim 54 includes the above-discussed relevant limitations for claim 1 in substantially similar forms, claim 54 should be allowable over Freeman. Further, Zigmond is merely cited for disclosing that “a method for selling advertising time during a broadcast program”. Therefore, the combination of Zigmond and Freeman still lacks the above-discussed relevant limitations. Therefore, claim 54 should be allowable over Zigmond and Freeman. Further, since claims 55-57 depend from claim 54, claims 55-57 should also be allowable over Zigmond and Freeman.

Accordingly, it is submitted that the rejection of claims 54-57 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 58 and 59

In Section 15 of the Office Action, claims 58 and 59 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond in view of Freeman, and further in view of Weinstein.

Based on the foregoing discussion regarding claim 54, and since claims 58 and 59 depend from claim 54, claims 58 and 59 should be allowable over Zigmond and Freeman. Further, Weinstein is merely cited for providing “a unified interface to combine both the broadcast and interactive features”. Therefore, the combination of Zigmond, Freeman, and Weinstein still lacks the above-discussed relevant limitations. Therefore, claims 58 and 59 should also be allowable over Zigmond, Freeman, and Weinstein.

Accordingly, it is submitted that the rejection of claims 58 and 59 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

CONCLUSION

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-5, 8, 10-15, 17, and 20-79 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.


In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicants' representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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